

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

FILED IN COURT
ASHEVILLE, NC

JUN 13 2025

U.S. DISTRICT COURT
W. DISTRICT OF N.C.

UNITED STATES OF AMERICA)
)
 v.)
)
 JERALDINE AGNES GELDNER)
)
 _____)

DOCKET NO. 1:25CR-31-MR-WCM

**SECOND
AMENDED FACTUAL BASIS**

NOW COMES the United States of America, by and through Russ Ferguson, United States Attorney for the Western District of North Carolina, and hereby files this Factual Basis in support of the plea.

This Factual Basis does not attempt to set forth all of the facts known to the United States at this time. This Factual Basis is not a statement of the defendant, and, at this time, the defendant may not have provided information to the United States about the offenses to which the defendant is pleading guilty, or the defendant's relevant conduct, if any.

By their signatures below, the parties expressly agree that there is a factual basis for the guilty plea(s) that the defendant will tender. The parties also agree that this Factual Basis may, but need not, be used by the United States Probation Office and the Court in determining the applicable advisory guideline range under the *United States Sentencing Guidelines* or the appropriate sentence under 18 U.S.C. § 3553(a). The defendant agrees not to object to any fact set forth below being used by the Court or the United States Probation Office to determine the applicable advisory guideline range or the appropriate sentence under 18 U.S.C. § 3553(a) unless the defendant's right to object to such particular fact is explicitly reserved below. The parties' agreement does not preclude either party from hereafter presenting the Court with additional facts which do not contradict facts to which the parties have agreed not to object and which are relevant to the Court's guideline computations, to 18 U.S.C. § 3553 factors, or to the Court's overall sentencing decision.

1. From in or about 2015 through on or about March 19, 2024, Defendant JERALDINE AGNES GELDNER ("GELDNER") worked for three small companies in the Western District of North Carolina as a contracted bookkeeper. These companies are referred to herein as "Company 1" in Henderson County, "Company 2" in Transylvania County, and "Company 3" in Rutherford County (collectively, "the companies"). GELDNER was responsible for accounts payable, payroll, and filing tax returns for these companies.

2. Beginning on or about July 30, 2019, and continuing through on or about March 19, 2024, GELDNER engaged in a scheme to defraud and embezzle at least \$550,000 from the companies within the Western District of North Carolina. During this period, GELDNER fraudulently transferred funds from company bank accounts to her own personal bank accounts.

3. The purpose of the scheme to defraud the companies was for GELDNER to unjustly enrich herself by embezzling at least \$550,000.00 from the companies by using QuickBooks Online to transfer funds from company bank accounts to her personal bank accounts.

4. Beginning at least as early as July 30, 2019, GELDNER began conducting various unauthorized transfers of funds from company bank accounts to her United Community Bank, TD Bank, and Capital One Bank accounts.

5. GELDNER concealed the fraudulent transfers by creating phony vendors and false payment entries for the Internal Revenue Service, the North Carolina Department of Revenue, and others in QuickBooks. GELDNER connected her personal bank accounts to these false entries. This caused bookkeeping records and bank records to appear as though legitimate payments were being made to vendors or funds withheld for payroll taxes, but in fact the funds were misdirected to GELDNER's accounts.

6. The first such known fraudulent wire transfer occurred on August 15, 2019, when without authorization, GELDNER wired \$350.00 from Company 3's checking account to GELDNER's United Community Bank account ending in account number "6606."

7. Thereafter, and continuing through March 19, 2024, GELDNER fraudulently made approximately 455 additional similar wire transfers, primarily to her United Community Bank accounts, but also to other accounts under her control at TD Bank and Capital One Bank.

8. The total amount of funds embezzled by GELDNER from the companies was approximately \$975,670.94.

9. The ACH transactions were conducted via the internet. United Community Bank is based in South Carolina and the fraudulent ACH transactions conducted by GELDNER and referenced herein moved in interstate commerce.

10. For tax years 2019 through 2022, GELDNER willfully made, signed, and filed income tax returns that failed to report the fraudulently obtained income on her U.S. Individual Income Tax Returns. In 2021, GELDNER reported \$18,578 in income. In that year, GELDNER received an additional \$250,992.39 in income due to the embezzlement or other sources. Based on her true income, in 2021, the additional tax due and owed is \$75,802.

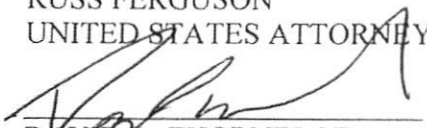
11. GELDNER prepared all her tax returns herself. GELDNER made and signed the tax returns under penalty of perjury. When GELDNER signed and filed the returns, she did not believe them to be true and correct as to every material matter, including the matter of how much income she had actually received. The total estimated tax due and owing relative to the unreported income from tax year 2019 through 2022 was approximately \$155,623.

12. GELDNER filed her 2021 federal income tax return on March 22, 2022, in Macon County, within the Western District of North Carolina.

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RUSS FERGUSON
UNITED STATES ATTORNEY



DAVID A. THORNELOE
ASSISTANT UNITED STATES ATTORNEY

Defendant's Counsel's Signature and Acknowledgment

I have read this Amended Factual Basis, the Plea Agreement, and the Amended Bill of Information in this case, and have discussed them with the defendant. Based on those discussions, I am satisfied that the defendant understands the Amended Factual Basis, the Plea Agreement, and the Amended Bill of Information. I hereby certify that the defendant does not dispute this Factual Basis with the exception of those facts to which I have specifically reserved the right to object, and understands that it may be used for the purposes stated above.



Douglas P. Edwards, Attorney for Defendant

DATED: 6/6/25